THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18023 of 2004

Dated:9.11.2006

Between
1.Sur Reddy and others.

.....Petitioners

and

1.Govt of AP, rep., by its
Secretary, Irrigation Dept,
Secretariat, Hyderabad and
Others.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18023 of 2004

ORDER:

This writ petition is filed seeking a Mandamus to declare the inaction of the respondents 1 to 6 in stopping the new 8 inches pipeline work of the 7th respondent to draw Manjeera seepage water at Shivampet village, Pulkal Mandal, Medak District as illegal and arbitrary.

It appears that the petitioners are agriculturists and own various of extents of lands in Shivampet Village, Pulkal Mandal, Medak District. They are depending on agriculture as their main and only source of their livelihood. They dug bore wells but they got dried up long back due to insufficient rains for successive years. Since several years, they have been irrigating their lands by drawing water from Manjeera River seepage through submersible pump sets. They have been permitted by the Revenue and Irrigation Department authorities to draw water from Manjeera seepage through lift

pumps. All the petitioners have obtained electricity connections for drawing water and they are paying electricity charges regularly to the Electricity Department. The 7th respondent has a factory at Shivampet Village and manufacturing Indian made Foreign Liquor. About 15 years back the factory was established. Since inception, the 6th respondent company had been drawing water for their industrial needs through 4 inches pipeline from the Manjeera river bridge of Shivampet village. About 40 days back the 7th respondent commenced work for laying new pipeline of 8 inches for drawing water from Manjeera seepage to meet their demands. The petitioners and other villagers on learning about the pipeline work being undertaken by the 7th respondent company, gave several representations to the official respondents and requested to stop the pipeline work of the 7th respondent company forthwith. The 4th respondent conducted preliminary inspection and having found that drawal of water by the 7th respondent would

deprive the rights of the petitioners and other villagers from irrigating and drawing drinking water, assured that immediate steps will be taken to see that the 7th respondent is not permitted to lay and use water from their proposed 8 inches meter pipeline. But, contrary to such assurances, the official respondents are not taking any prompt and effective action. Therefore, the present writ petition is filed.

No counter affidavit has been filed by any of the respondents. However, Mr.C.Pratap Reddy, appearing on behalf of the 7th respondent placed before this Court the proceedings of the District Collector (Panchayat Wing) Medak at Sangareddy dated 30.9.2004 and it would indicate that earlier there was a pipe line of 4 inches laid from the river under the old bridge to the factory for drawing the water as per norms prescribed by the Government and after getting 8 inches pipe line permission, the said 4 inches pipe line will be closed by them. He also stated that the works have already been completed and *in fact* 2nd and 3rd petitioners have

already withdrawn the writ petition on 3.11.2004.

In view of the above, nothing remains for adjudication in this writ petition. Therefore, the same is liable to be closed.

Accordingly, the writ petition is closed. No costs.

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09-11-2006

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